

# Notice of Allowability

Application No.

09/868,283

Examiner

William T. Leader

Applicant(s)

KRUSE ET AL.

Art Unit

1742

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the papers filed on 12 January 2004.
2. ☒ The allowed claim(s) is/are 29-53.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                 | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20040223</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Damon Boyd on 23 February 2004.

The application has been amended as follows:

The application was filed without an abstract. An abstract has been added as shown on the attached sheet.

In the Claims:

Claim 31, line 4: "g/i" has been changed to -- g/l --.

Claim 42, line 1: "31" has been changed to -- 41 --.

Claim 50, line 2: "CH<sub>3</sub>COOH" has been changed to -- CH<sub>3</sub>COOH --.

These changes have been made to correct minor errors and to make the dependency of claim 42 consistent with originally presented claim 14, which claim 42 replaces. The abstract is based on the abstract in the international application.

Art Unit: 1742

The following is an examiner's statement of reasons for allowance: The Cushman patent (1,953,997) is directed to a process for the anodic coating of metals and alloys composed principally of zinc, and is representative of the prior art. A satisfactory electrolyte is an aqueous solution of a hydroxide of an alkali metal or alkaline earth metal having a pH value of about 13.3 (page 1, lines 56-60). The electrolytic treatment is conducted at room temperature with a current density at the anode of from 10 to 60 amperes per square foot (0.011 - 0.065 amperes per square centimeter), and with a duration of treatment of from 1 to 15 minutes. See page 2, lines 15-19. Applicant's claims differ from the prior art processes by reciting that the workpiece is placed in the bath at the beginning of the anodic oxidation after the voltage has already been applied. As explained at page 3 of applicant's specification, the provision of a current flowing during immersion of the workpiece improves homogeneity of the darkened surface layer. This feature is not suggested by the prior art of record for darkening a surface layer of a workpiece including zinc

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1742

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William T. Leader whose telephone number is 571-272-1245. The examiner can normally be reached on Mondays-Thursdays and alternate Fridays, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1244. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WL

William Leader  
February 23, 2004

ROY KING  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1742

### Abstract

The invention relates to a method for darkening a superficial layer of a workpiece which contains zinc by anodic oxidation. The workpiece is oxidized in a soaking bath containing an aqueous solution comprised of a hydroxide and of a nitrate. The anodic oxidation may be carried out in an aqueous solution containing  $\text{NH}_4\text{NO}_3$  or  $\text{NaNO}_3$ , and having a pH value ranging from 8 to 14, at a dipping bath temperature (T) ranging from 15 to 45 °C, and with a current density (i) ranging from  $3 \times 10^{-4}$  to 0.5 A/cm<sup>2</sup>. The workpiece is placed in the soaking bath at the beginning of the anodic oxidation after the voltage has already been applied.